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Affirmative action : implications
for manpower operations

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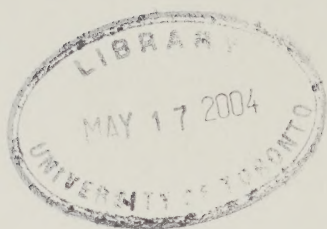
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AFFIRMATIVE ACTION

IMPLICATIONS FOR MANPOWER OPERATIONS

POLICY AND PROGRAM COUNCIL, APRIL 1977

The recommendations on Affirmative Action (pp. 18 - 20) and the Plan of Action (pp. 21-22) have been accepted by the Policy and Program Council.



EXECUTIVE SUMMARY

PURPOSE

The attached paper examines the implications of Affirmative Action for Manpower and puts forward for your consideration a number of recommendations for the implementation of Manpower's Affirmative Action Strategy. Because of the particular nature of Affirmative Action, the paper is divided into two sections. The purpose of the first section is to impart an understanding of systemic discrimination and Affirmative Action. The second section examines our mandate and consequential responsibilities of delivering the concept to the private sector and supporting the private sector's Affirmative Action programs. The paper concludes with the recommendations and a plan of action.

SYSTEMIC DISCRIMINATION AND AFFIRMATIVE ACTION

The understanding of discrimination in employment has evolved through three stages in the last decade. Initially, it was seen as overt, isolated acts motivated by the prejudice of an employer. Secondly, it became evident that an overt act of discrimination usually signalled patterns of discrimination throughout that particular employment system. The patterns were often more subtle than the overt acts, but upon investigation it became clear there was unequal treatment where blacks and whites, women and men, Natives and non-Natives were similarly situated. The discrimination again resulted from the prejudices of the employer.

Finally it became clear that employment discrimination was a far more complex and pervasive phenomenon. Experts in employment discrimination began to see that some employment practices while equal in intent and equal in application had a disparate effect on minorities and women. Further, these practices were not job-related; that is they did not necessarily predict the ability of the employee to do the job, and they could not be justified by business necessity.

Systemic discrimination, then, can be defined as an employment system which operates to exclude women and minorities without being justified by the appropriate job-relatedness or business necessity. It is not the result of an employer's prejudice. It is the perpetuation of past discrimination through seemingly neutral employment practices.

An Affirmative Action program is a comprehensive program undertaken by an employer to remedy systemic discrimination and is itself as diverse as systemic discrimination. The employer who adopts an Affirmative Action program will examine his work force for underutilization of women and minorities relative to their representation in the work force and for the over-concentration of those individuals in certain sectors of his establishment. Through Affirmative Action he will substitute the discriminatory systems with alternative systems having a lesser race and sex impact. Like other company programs, it is result-oriented with yearly targets set in hiring, training, and promoting qualified or potentially qualified target group members.

DEPARTMENTAL MANDATE

The UIC Act, Section 140(2)(b) is being amended to enable Manpower to give full effect to Affirmative Action. The consequential amendment is included in both The Human Rights Bill and the Employment and Reorganization Bill. It will be carried by the first Bill to be proclaimed.

The existing mandate includes:

1. A May 1975 Cabinet Decision which stipulates that measures be taken to integrate those in need of special assistance through the attacking of job barriers, job creation, programs aimed at countering the effects of group discrimination, Affirmative Action, and encouragement of the participation of women in the labour market.

2. At the November 1975 Manpower Policy Council meeting the following decisions were taken:

- 1) That staff training material be developed for field employees in anticipation of the passing of The Human Rights Bill.
- 2) That we tilt our own programs, policies and services so as to redress imbalances in levels of services, in favour of disadvantaged groups.
- 3) That, on our regular programs of visits to employers, employer associations, unions and professional associations, we promote the concept of Affirmative Action.
- 4) That a Manpower Affirmative Action Secretariat be established to guide the implementation of Affirmative Action throughout the Department.
- 5) That the Department undertake a feasibility study on means to encourage companies entering into contracts with the government to take positive action to improve the positions of members of Affirmative Action target groups.

3. In February 1976 Cabinet directed that the Federal Contracts Program be launched to promote the voluntary adoption of Affirmative Action with respect to the employment of women by those industries benefitting from federal contracts and by Crown corporations. This is a joint Labour/Manpower and Immigration program.

RECOMMENDATIONS

The recommendations and plan of action are briefly outlined on pages 12 to 16.

APPENDIX

An outline of the essential features of the Federal Contracts Program is contained in Appendix I.

PREFACE

This paper will draw on the American experience with discrimination in employment and with the development and administration of programs on Affirmative Action. While there is little argument against the utilization of foreign technological or scientific developments, there is often a reluctance to employ American approaches in socio-economic policy and program development. That reluctance is usually well-founded, particularly in the area of social and cultural policy development. But it would be a grave error to ignore the American post 1964 Civil Rights Legislation era in the development of our programs on Affirmative Action. The technical knowledge on unintentional discriminatory employment practices that has accrued over the past decade will prove invaluable to us. While we do not have the legislation to enforce Affirmative Action programs nor the desire to do so, it would be foolish to ignore the court decisions which were based on expert analyses of employment practices. We cannot afford to repeat the errors in administering Affirmative Action that the Americans are now trying to correct.

By examining the American experience and learning from it, we can look forward to programs on Affirmative Action that will help us and employers rid the Canadian employment system of the vestiges of past discrimination.

INTRODUCTION

Section 140(2)(b) of the UIC Act is being amended to enable Manpower to give full effect to Affirmative Action. The consequential amendment is included in the revision of the Act (Bill C-27) and is now Section 139(2)(b). The amendment is also included in the Human Rights Bill (C-25). It reads as follows:

"Paragraph 140(2)(b) of the Unemployment Insurance Act, 1971 is repealed and the following substituted therefor:

"(b) ensure that in referring a worker seeking employment there will be no discrimination on a prohibited ground of discrimination within the meaning of the Canadian Human Rights Act or because of political affiliation, but nothing in this paragraph prohibits the national employment service from giving effect to (i) any limitation, specification or preference based on a bona fide occupational requirement, or (ii) any special program, plan or arrangement designed to prevent disadvantages that are likely to be suffered by, or to eliminate or reduce disadvantages that are suffered by, any group of individuals when those disadvantages would be or are based on or related to the race, national or ethnic origin, colour, religion, age, sex, marital status or physical handicap of members of that group by improving opportunities respecting employment in relation to such group if that special program, plan or arrangement is one that is not a discriminatory practice within the meaning of the Canadian Human Rights Act by virtue of section 15 thereof."

Both Bills have been tabled in the House of Commons. In order to develop a national strategy on Affirmative Action it is important that the concept is accurately defined and uniformly understood.

The Department of Manpower and Immigration has taken numerous special measures to promote equal employment opportunities for minorities and women. These measures are often referred to as Affirmative Action. This is a misnomer. Training twenty Natives to be hired for jobs in an aluminum plant is not Affirmative Action; it is a special measure. The Natives might be left at the entry level jobs or follow promotion paths different from similarly situated non-Natives. An Affirmative Action program would eliminate employment barriers for Natives not only in hiring but in all aspects of the plant's employment practices.

Affirmative Action in employment is a comprehensive plan adopted by an employer to remedy systemic discrimination. To understand Affirmative Action, the remedy, one must understand the problem, systemic discrimination. Affirmative Action is as diverse as the forms of systemic discrimination.

DISCRIMINATION IN EMPLOYMENT

Employment discrimination used to be viewed as a series of isolated, overt acts which were expressions of an individual's or an organization's ill-will. In the course of the last decade experience has shown employment discrimination to be a far more complex and pervasive phenomenon.

"Experts familiar with the subject generally describe the problem in terms of "systems" and effects" rather than simply intentional wrongs...the literature is replete with such discussions as the mechanics of seniority and the lines of progression, perpetuation of the present effect of past discriminatory practices through various institutional devices....In short, the problem is one whose resolution in many instances requires not only expert assistance, but also the technical perception that the problem exists in the first instance..."¹

The "technical perception" becomes clearer when the three stage evolution of the concept of discrimination is examined. Post 1964 Civil Rights Legislation agencies of the United States found that discrimination exists not only as overt acts but in fact pervades the whole employment system.

Stage One: Ill-Will²

In the first stage, discrimination was seen as only isolated, distinguishable events which were caused by ill-will. The "events" were dealt with on a case by case basis. The complaint lodged could validly be taken as a statement about the employer as an individual.

Stage Two: Patterns

As experts gained more experience they soon realized that if there was a case of overt discrimination in one area it was also evident in other areas of the employment system. At this second stage investigators began to see patterns and practices of discrimination. They focused on identifying those areas where blacks and whites, women and men, Natives and non-Natives were similarly situated but were unequally treated. The focus was still on the intent of the employer.

¹ U.S. Senate Committee on Labour and Public Welfare
(Senate Report 92-415, October 28, 1971) p.5

² Peter C. Robinson, Defining Discrimination, unpublished document.
The writer's thanks go to Mr. Robinson, Director, Office of Federal Liaison, Equal Opportunities Commission, Washington, D.C., for sharing his invaluable manuscript, which reflects over ten years experience as an attorney in the area of employment discrimination. Much of this section is taken from his manuscript and from discussions with him and his officers.

At the second stage, discrimination would be identified in a training system, for instance, which allowed a smaller proportion of women than men or a promotion line which would promote whites into semi-skilled positions and blacks into non-skilled positions.

Stage Three: Consequences

Finally, it became evident that many employment practices unwittingly perpetuated past discrimination and operated to freeze the status quo. Experts in employment discrimination began to see that some employment practices while equal in intent and equal in application had a disparate effect on minorities and women. Further, these practices were not job-related, that is, they did not necessarily predict the ability of the individual to do the job. As well, those practices could not be justified as a safe and efficient operation of the business.

Systemic discrimination, then, can be defined as an employment system which operates to exclude minorities and women without being justified by the appropriate job-relatedness or business necessity.³

A few examples of systemic discrimination might clarify its meaning:

- (a) Word of Mouth Hiring and Training - An employer who relies on the word getting around that there is a job opening is certainly not intentionally discriminating. But since most jobs are held by white males, Ted will tell Fred who will tell Joe a job is available. No one tells Susan or a Native or a Black. Similarly, within an employer's establishment a knowledge of training courses available would rely on word of mouth, if there was a lack of formal communication. This informal system has been shown to exclude women and minorities.⁴
- (b) Testing - The American courts found that most tests measured the person in the abstract, and not the person for the job. The courts decided that tests must be a reasonable measure of job performance - they must measure the ability to learn a particular job or category of jobs. Almost all aptitude tests and verbal exams of any type have been found to disqualify a disproportionately large number of minorities through cultural bias.

³ Peter Robinson, Ibid., PB-12

⁴ CUPE, Equal Opportunity at Work, a CUPE Affirmative Action Manual, (Ottawa, 1976) p. 109

In the third stage investigators no longer focused on the intent of the employer. They examined the system by its results for systemic discrimination. They would examine statistics to find:

- (1) if particular employment standards excluded a higher proportion of minorities than the majority group;
- (2) if the composition of the work force reflected restrictive or exclusionary practices.

Once the discriminatory aspect of employment practices, procedures or tests was identified, the goal would be to find an acceptable alternative which would accomplish the business purpose with a lesser differential race or sex impact.

By now it should be obvious that discrimination exists where an employer has fewer Natives because fewer Natives have a high school diploma and are excluded by a diploma requirement which is equally applied to all. Given that the diploma was not job-related, if you do not find discrimination here, then you are still looking only for overt or unequal treatment.

The elimination of the historical overt unequal treatment leaves the employer in a position where he is not discriminating (stage one or two) but where his passive failure to change his present neutral system constitutes discrimination.⁵ The employer who decides to affirmatively change his system adopts an Affirmative Action program. He will examine his work force for underutilization of women and minorities relative to their representation in his geographical area and for the over concentration of those individuals in lower paying sectors of his establishment. Through Affirmative Action he will substitute the discriminatory systems with alternative systems having a lesser race and sex impact.

The advantage, if you will, of reaching a stage three understanding of discrimination is that Affirmative Action no longer appears as "discrimination in reverse". It becomes understood as an action to undo a historical preferential system which has institutionalized imbalances in the labour market. As well, the intent of the employer, who is not engaging in overt or unequal treatment but whose work force reflects systemic discrimination, is no longer in question. In working with employers this technical perception of discrimination is necessary to diffuse a situation where his reaction would be very defensive.

⁵ Peter Robinson, Ibid., p. 118

AN AFFIRMATIVE ACTION PROGRAM

Affirmative Action then is a comprehensive program undertaken by an employer to remedy systemic discrimination and is itself as diverse as systemic discrimination. In line with current management principles, an Affirmative Action program is carefully designed to fit each industry's particular needs. Like all other company goals, it is result-oriented with yearly targets set in hiring, training and promoting qualified or potentially qualified target group members through systems offering the same opportunities as similarly situated non-target group members.

An Affirmative Action program has certain basic steps:

I. Preliminary Analysis

An analysis is made of internal employee data on the basis of Minority and Female employment by department and job classifications, salary level, education, length of service, etc. to identify areas of under-utilization and over-concentration.

An analysis of external data is made to find the percentage of women and minorities in the total population area and their representation in the relative labour force.

If the results show evidence of systemic discrimination, an Affirmative Action Program is adopted.

II. Affirmative Action Program

- A. A senior executive with authority to implement changes, is identified as responsible for the program.
- B. Unions are consulted to enlist their support. Employees are informed and included in the planning of the program.
- C. Goals are identified and timetables are set to improve the employment status of minorities and females.
- D. The entire employment system is reviewed to identify barriers to equal employment opportunity. These areas are reviewed:
 1. Recruitment
 2. Selection: job requirements, job description, standards, procedures, testing, interviewing, application forms.

3. Mobility System: Training for lateral and progressional positions, assignments, transfers, seniority, promotions.
 4. Wage and Salary Structure.
 5. Benefits and Conditions of Work.
 6. Layoff, recall, termination, demotion, discharge.
 7. Union contracts affecting the above procedures.
- E. Alternative practices and procedures are adopted to lessen the disparate impact. Qualified or potentially qualified target group members within the existing work force and in the community are sought out and developed for jobs with increased responsibility or promotion potential.
- F. An internal monitor and feedback system is implemented to evaluate the progress in each aspect of the program.

Each component of this Affirmative Action program could be explained at length and examples given of the discriminatory nature of seemingly neutral practices. There are multiple examples of remedial approaches taken in Affirmative Action programs: bridge positions, lateral training, ghetto and reserve recruitment, etc. etc. What should become obvious is that Affirmative Action is a complex endeavour and is much more technical than a series of special measures.

IMPLICATIONS FOR MANPOWER

I. Authorities to Launch Affirmative Action

Cabinet and Departmental Decisions

A. A May 1975 Cabinet Decision relates to Affirmative Action in that it stipulates that measures be taken to integrate those in need of special assistance by:

- 1) attacking barriers to employment in employers' establishments;
- 2) job creation;
- 3) government programs aimed at countering the effect of group discrimination;
- 4) Affirmative Action;
- 5) encouraging the participation of women in the labour market.

B. At the November 1975 Manpower Policy Council meeting the following decisions were taken:

- 1) That staff training material be developed for field employees in anticipation of the passing of The Human Rights Bill.
- 2) That we tilt our own programs, policies and services so as to redress imbalances in levels of services, in favour of disadvantaged groups.
- 3) That, in our regular programs of visits to employers, employer associations, unions and professional associations, we promote the concept of Affirmative Action.
- 4) That a Manpower Affirmative Action Secretariat be established to guide the implementation of Affirmative Action throughout the Department.
- 5) That the Department undertake a feasibility study on means to encourage companies entering into contracts with the government to take positive action to improve the position of members of Affirmative Action target groups.

C. In February 1976 Cabinet directed that the Federal Contracts Program be launched to promote the voluntary adoption of Affirmative Action with respect to the employment of women by those industries benefitting from federal contracts and by Crown corporations. (For further information, see Appendix 1). This is a joint Labour/Manpower and Immigration program.

Cabinet direction, MPC decisions and the imminent statutory authority through an amendment to the UIC Act give the Department a strong mandate to launch Affirmative Action. The Department will have two separate responsibilities in the development of programs and services on Affirmative Action. The first responsibility is to promote the concept to employers, unions, and the general public and to assist employers and unions in the adoption of Affirmative Action plans. This could be considered delivery.

The second and consequent responsibility is to support the private sector initiatives through all Manpower programs and services and to make appropriate modifications in Manpower operations.

II. DELIVERY

The United States, under the Federal Contract Compliance Program and the Equal Employment Opportunities Commission, has over fourteen separate federal agencies promulgating different Affirmative Action guidelines and offering different competencies, or perhaps incompetencies, in consultative services. This has caused confusion for industry and has been counter-productive to a fully successful program.

Mr. Lawrence Lorber, Director of the U.S. Office of Federal Contract Compliance, strongly advised Departmental officials:

1. to ensure centralization or at least co-ordination of the federal approach to the private sector, and
2. to use only trained, competent professionals.

A. Co-Ordination

At the federal level our Department and Labour Canada have worked closely on the Federal Contracts Program. The aim has been also to maximize resources by avoiding duplication of services and activities. An Affirmative Action logo, guidelines for employers adopting Affirmative Action for women and an audio-visual have been developed co-operatively.

The Joint Steering Committee of the Federal Contracts Program hopes to continue collaboration through a broader approach to unions, professional associations and to employers not included in the Federal Contracts Program. The broader approach will include minorities as well as women.

Effective linkage with other federal departments, provincial departments and Human Rights agencies involved in Affirmative Action will be crucial for a unified approach to Affirmative Action strategy. This will entail significant regional involvement to ensure that our programs are in line with provincial policies, to avoid unnecessary duplication, and to ensure that we direct clients to only bona fide Affirmative Action programs. Some Human Rights Commissions, New Brunswick for instance, have legislation to endorse, and therefore monitor and evaluate Affirmative Action programs in order to protect employers from unnecessary litigation. By working closely with such commissions we can be assured of a quality control of employers' programs.

Co-operation with provincial governments is of particular importance to the Manpower Needs Sub-Committees on Training. Special measures in training programs in support of Affirmative Action will require provincial co-operation.

B. Affirmative Action Consultants

The marketing of Affirmative Action is a complex endeavour requiring a professional and informed approach. It cannot be carried out by CMC Counsellors and should not be expected of them. To have any credibility with the private sector, consultants must have a knowledge of business practices, experience in human rights and labour legislation and a sound understanding of systemic discrimination, how to identify it and how to implement Affirmative Action. A Departmental training program will be essential to co-ordinate our own approach to employers and to ensure a common level of competence. Manuals, guidelines and other staff training materials will be required. Close co-operation with the Department of Labour in staff development and training is recommended to ensure co-ordination from the national level through to the regional delivery system.

C. Target Group Co-Ordinators

Target group co-ordinators, e.g., the Native and Women's Co-Ordinators, should act as a resource for Affirmative Action Consultants. Their main responsibility would be to ensure continued response of the Department to the needs of their group but they would also explain the concept of Affirmative Action to target group members. They would act as a resource to the CMCs in the identification of potential target group referrals. Through the Affirmative Action Consultant they would advise employers as to particular artificial barriers to employment. They would also advise those employers adopting Affirmative Action about community support programs and target group organizations.

D. Promotional Materials

The Affirmative Action Consultants will need promotional materials to communicate the concept to industry, unions, professional associations. The target group co-ordinator will communicate with the target groups. How to reach all these target groups is important. Their needs are different and each requires specific information. Client Services Branch has submitted an information plan requesting funds for separate films and accompanying promotional materials for employers and unions. The film for employers would explain systemic discrimination in employment practices, the remedial effects of Affirmative Action, approaches to Affirmative Action and benefits to be accrued from such plans. The film for unions would explain systemic discrimination in industrial relations, the remedial effect of Affirmative Action and the roles of unions in the adoption of the Affirmative Action concept. It would be advantageous to have CLC involvement in the development of this film. The information plan also included allocation for T.V. commercials and a brochure to sensitize the general public as to the need for Affirmative Action in employment. Each target group division of Client Services Branch also requested funds for audio-visuals to speak expressly to target group members about Affirmative Action and the part the groups would be expected to play in making such plans effective.

Guidelines for employers adopting Affirmative Action for specific target groups will be an important component of a consultant's promotional materials. Such guidelines have already been developed for Affirmative Action for women. Client Services Branch divisions of Native and Handicapped Employment are developing similar guidelines for their particular target group. The guidelines will be co-ordinated with the two films and the target group audio-visual. All promotional materials will carry the same logo.

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III. SUPPORT

Our involvement with Affirmative Action will require a number of changes in Departmental operations. The general direction of these changes and new mechanisms will be outlined briefly below. Under the title of Recommendations a two-step action plan will outline the operational steps necessary to implement such a new strategy.

A. Labour Market Information

Improved labour market information must be made available to employers to assist them to identify interested and qualified or potentially qualified target group members. Departmental officials have discussed Affirmative Action with twelve major Canadian corporations with regard to the Federal Contracts Program. Numerous other companies have approached the Department for guidance in developing of Affirmative Action programs. The companies have consistently requested better information on the availability of qualified or potentially qualified target group members, usually women and Natives.

B. Training

By virtue of Section 15 of the Human Rights Act, the Department can give preferred treatment to target groups in our various training programs. Special measures, whether new training programs in preparation for new industrial developments, or changes in the training regulations could be taken to increase the numbers of women and minorities in our programs. CMITP is potentially the ideal tool for consultants to use as incentive to employers who implement Affirmative Action. Co-operation with the provinces thus is necessary to allow the realization of the intent of Section 15 of the Human Rights Bill and the consequential amendment to the UIC Act.

C. Examination of Manpower Programs and Services

An examination of Manpower programs, services, tests, and regulations is necessary to uncover any other areas where we ourselves perpetuate past discrimination. One CMC counsellor recently pointed to an example of systemic discrimination in our CMTP where a grade 10 education is required. This serves to exclude Native people. His client had been a welder for a number of years and needed the appropriate licensing. Unfortunately, although he was already a capable welder, he could not receive the training as he had only a grade six education.

D. CMC Operations

Affirmative Action at the CMC level will constitute a major change in CMC operations. Commitment to the Affirmative Action concept by Manpower management and a full understanding of the concept by CMC counsellors are necessary prerequisites to successful delivery of the program. Educational materials, the distribution of an Affirmative Action brochure and presentation of an audio-visual would necessarily be one of the first priorities in the implementation of our Affirmative Action strategy.

CMCs will have to ensure that referrals are made only to bona fide Affirmative Action programs. The validity of these programs can in most cases be checked with the provincial Human Rights authorities. It would be advisable to maintain up-dated registers of such programs at each CMC. Managers may wish to appoint one individual responsible for Affirmative Action. He or she would maintain CMC registers and would maintain contact with the regional Affirmative Action office or Affirmative Action Consultants.

E. Affirmative Action Target Groups

It is strongly recommended that the target groups be kept to a minimum. The purpose of Affirmative Action is to redress imbalances unfavourable to minorities and women. The tendency is to expand the target groups until almost all members of the labour force are included by religion, race, ethnic origin and so on. This dilutes the effects of Affirmative Action to say nothing of the administrative problems it creates.

In line with national goals it is recommended that this Department identify Natives, women, and the handicapped as target groups on the national level. At the regional level, it is recommended that one other group be included to account for particular socio-economic needs of the region, e.g., the Blacks in Nova Scotia. It would be incumbent upon the regional Affirmative Action offices to look to the National Affirmative Action office for guidance in developing the appropriate guidelines, promotional materials, training and so on for that particular group.

F. Danger

If we develop a strategy for Affirmative Action, it will by necessity be a comprehensive program affecting the whole network of Manpower programs and services and requiring the development of some new mechanisms. The risk run in going only half way is that of creating greater problems for those groups suffering from discrimination.

A poorly administered program in the United States has created misunderstanding of the goal of Affirmative Action and has resulted in many instances of backlash. With misunderstanding will come allegations of "discrimination in reverse" and "unfair quotas", which in turn would not only erode good intentions but would also result in heated feelings of prejudice and discrimination. Any compromise in the development of this strategy is a compromise of the rights of Canadian minorities and women. The choice is between a professional competent delivery supported totally throughout our programs and services or no program at all.

April 1977

The following recommendations outline the measures articulated in the paper and put forward a plan of action for approval.

RECOMMENDATIONS

RECOMMENDATIONS	RESPONSIBILITY CENTRE
1. A National Affirmative Action Office to be formed to guide the implementation of Affirmative Action throughout the Department. It is recommended that this office directly link Manpower Client Services Branch and the Consultative Services sector of Employment Development.	New authority centre primarily linking Employment Development and Client Services.
2. Each region establish a Regional Affirmative Action Centre to develop appropriate mechanisms at the field level to implement Affirmative Action. It is essential that the director of this office is a Top Official with responsibility and authority to oversee the implementation of the Affirmative Action strategy.	New Regional Office
3. It is recommended that a two-month training package be developed for Affirmative Action Consultants.	National Affirmative Action Office Staff Training Branch
4. It is recommended that the promotional materials be developed for employers, unions, general public, and target groups as indicated in the 1977-78 information plan of Client Services Branch.	Information Services National Affirmative Action Office
5. It is recommended that improved labour market information be made available for employers adopting Affirmative Action.	National Affirmative Action Office Strategic Policy and Planning

6. It is recommended that a study of Manpower programs, services, regulations, tests, etc. be conducted to uncover any systemic discrimination which operates to exclude minorities from full participation in our programs.
- National Affirmative Action Office
Strategic Planning and Policy
Human Resources
7. It is recommended that special training programs in preparation for new industrial development and special measures within existing programs be taken, and that funds be appropriately allocated in CMITP to increase the number of women and minorities.
- National Affirmative Action Office
Client Services
Training
8. It is recommended that Affirmative Action Officers visit CMCs and regional offices to sensitize staff on the nature of systemic discrimination and the remedial effect of Affirmative Action.
- National Affirmative Action Office
9. It is recommended that companies benefitting from CMITP programs and Manpower consultative services be strongly encouraged to adopt Affirmative Action with regard to their trainees and employees.
- National Affirmative Action Office
Legal Services
Training
10. It is recommended that the Minister sponsor a federal-provincial conference on Affirmative Action to facilitate the co-ordination of Affirmative Action initiatives and to launch the Department's strategy on Affirmative Action.
- Minister

11. It is recommended that the man-years necessary be allocated to develop the various mechanisms for the next fiscal year and to staff Affirmative Action Consultants positions.

12. It is recommended that sufficient resources be made available at a National and Regional level to effectively deliver and support Affirmative Action.

PLAN OF ACTION

1977-78 Year One : Pilot Year

An Affirmative Action Office at the national level would guide the development of the necessary strategy outlined in the paper and in the recommendations. The Office would be centrally responsible for the realization of the activities coming under the various responsibility centres mentioned above. Particular emphasis would be placed on the development of training packages and promotion materials. It would also include liaison and co-ordination with other federal departments, the Federal Human Rights Agency and the Continuing Committee of Officials Responsible for Human Rights. It would co-ordinate the Federal-Provincial Conference on Affirmative Action.

The National Office would link the responsibilities of Client Services Branch and the Consultative Services of Employment Development. The target group guidelines and promotional materials would be developed collaboratively with the appropriate divisions of Client Services Branch. The employer and union material as well as training modules would be developed collaboratively with Employment Development.

The National Office would work closely with the regional offices in the development of appropriate mechanisms to deliver Affirmative Action at the regional level.

Regional Affirmative Action Offices, under the guidance of the National Office, will develop regional Affirmative Action mechanisms. This would include the operationalization of the CMC registers of bona fide Affirmative Action programs and inventories of target group members. The office would liaise with regional offices of federal departments involved in Affirmative Action, and the appropriate provincial authorities. It would identify necessary training programs and would modify existing programs.

1978-79: Program Year

Up to 10 man-years per region would be allocated as Affirmative Action Consultants. Those individuals would receive special training which would have been developed in the pilot year. In the second quarter of the year they would assume their positions working out of the regional Affirmative Action offices. Their responsibility would be to promote Affirmative Action to employers and unions and to act as consultants in the development of Affirmative Action programs.

Target group co-ordinators, e.g., the Native and Women's Co-ordinators, should act as a resource for Affirmative Action Consultants. Their main responsibility would be to ensure continued response of the Department to the needs of their group but they would also explain the concept of Affirmative Action to target group members. They would act as a resource to CMCs in the identification of potential target group referrals. Through the Affirmative Action Consultant they would advise employers as to particular artificial barriers to employment. They would also advise those employers adopting Affirmative Action about community support programs and target group organizations.

APPENDIX I

THE FEDERAL CONTRACTS PROGRAM

The following outlines the essential features of the Federal Contracts Program.

Authority

Authority for the Federal Contracts Program came from a February 1976 Cabinet Decision to launch a program to promote the voluntary adoption of Affirmative Action with respect to the employment of women by those industries benefitting from federal contracts and by Crown corporations.

Program Description

The Department of Labour will send guidelines for Affirmative Action to Crown corporations and to government contractors on a priority basis. An accompanying letter will encourage the adoption of Affirmative Action for women and inform the employer that consultative services will be provided by Labour and Manpower upon request. Employers will also be encouraged to explore the programs and services available through Manpower as a resource for their Affirmative Action plans.

Adoption of Affirmative Action is voluntary. No standards are set for the employer. It is hoped that the guidelines and promotional materials will enlighten employers regarding the extent to which hidden discrimination exists in current employment practices. The economic advantages of tapping under-utilized human resources will hopefully be a greater incentive than standards.

Progress to Date

The program is now being developed under the guidance of a joint Labour-Manpower Steering Committee composed of the Director and officers of the Rights in Employment Branch, Labour Canada and our officer in charge of Affirmative Action, Client Services Branch. The guidelines have been developed by a joint working group. They were endorsed by the CLC and analyzed by a sample of twelve government contractors. A meeting of the Steering Committee with these contractors was held on October 13, 1976.

The program was presented by our officer and Labour officials to a sub-committee of the Canadian Association of Administrators of Labour Legislation at the annual conference in August 1976. Most provincial labour departments were represented at this committee meeting and they pledged their cooperation and support.

The Joint Steering Committee is now working on a cost-sharing arrangement to produce promotional materials. Manpower will be contributing \$6,000. towards the development of an audio-visual. The audio-visual will be used by consultants in discussions with employers. Training packages for consultants will also be developed shortly.

Working Relationship with Labour

The Steering Committee hopes to continue collaboration through a broader approach to unions, professional associations and to employers not included in the Federal Contracts Program. The broader approach will include minorities e.g. Natives as well as women. This is in line with our departmental policy articulated in the May 29, 1975 Cabinet Decision on Manpower Policy and the November 1975 MPC decision on Affirmative Action.



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